IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.399 of 2005
BABU NAND BHAGAT
Versus
THE STATE OF BIHAR & ORS
---

8. 17.7.2008. Heard learned counsel for the petitioner and the counsel for the Opposite Party Nos. 2 to 6.

It appears from the impugned judgment dated 20.4.2005 passed by the 4th Additional Sessions Judge, Gopalganj in Trial No. 114 of 1998 in connection with Bhorey P.S. Case No. 32 of 1995(G.R. No. 819 of 1995) that Opposite Party Nos. 2 to 6 have been acquitted of the charge under Section 307 and other allied Sections of the Penal Code as the place of occurrence as also the manner of occurrence has been doubted by the trial court since four of the independent witnesses, namely, P.Ws. 3 to 6 were tendered for cross-examination without recording their examination-in-chief, further Farsa injury was not found on the person of any of the injured including the informant. The court below also noticed that the accused persons were prejudiced on account of non-examination of the Investigating Officer.

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Taking into account the aforesaid aspects, I am also not inclined to interfere with the impugned judgment dated 20.4.2005, this Cr. Revision application is, accordingly dismissed.

Rajesh/ **(V.N.Sinha, J.)**